App E IX 4

1926-27 (mc) ✓

mc File No. 16-26

Previous References

h. c. le 15 1926

Serial Nos. 1 /

Later References

Presume

General and Revenue Secretariat.

Serial Nos

Part B for July 27

SUBJECT

Disability of Mr Mustafa Beg from continuing as a Rd Councillor of Kotah Town.

HEHS

G. R. S. 11]

1916

L/R/1135/16

GENERAL AND REVENUE SECRETARIAT

(Mund)

NOTES

L/S,R/ File No 16-16

FILE HEADING

From

No.	Dated	Received
Diary No	Enclos Spare Copies	Serial No

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS

Extracts from Notes in Mil F No 4 15-8 21 d 26 relating to declaration under Sec 18 of the Mil Regn of Mr Mustafa Beig who was disabled from continuing as a Mil Counsellor of the Kolar Gold Mills under Sec 15-(2), (c) of the Indian Re

NOTE—First Sheet.

G R. S 12]

General and Revenue Secretariat | G S [File No 16 of 1916

Serial No 4

No x but Govt need not approve of such election (re election of the disabled member). It is not Govt right to vote it & order fresh election

(Sd) A R B
10-6-916

17 Govt has not reserved any power to set aside elections duly held and Govt approval is not necessary for the results of elections

The result has been reported for publication of the name of the successful candidate in the Gazette under section 20 of the Municipal Regulation Vide also Rule 29 of the Election rules (Sd) B S 16 6 916

Eight Member's query
Why should Govt ignore

x x x

20 There is a serious flaw in the law Any member with no intention of attending can get repeated & elected for the mere honour's sake

(Sd) A R B
17 6 916

21 This may be worked up separately
(Sd) V. R J

x x x

23 Take extracts of orders x x & file note separately. (Sd) B S
15 6

NOTE—Contn. sheet

(11 0 000-17 1 1
(11 0 000-1 12)

S.S 25 J.A.W.S 135/16 3

G R S 12]

General and Revenue Secretariat | S S File No 16 of 1916

Serial No

2 The question will be submitted for consideration along with other memo after the issue of orders on the report of the Local Self Govt

HMK48
14/9/16

3. Yes - draft two letters
18/7/16

HM
17/7

4. Orders are solicited as to whether the action may be taken to amend the Municipal Regulation reserving power to Govt to set aside elections.

HMK48
4/1/1917

5 In favour of orders

Second Members
12/1/17

111
12-1-17
11/1

6 Please send list of the Municipalities which work up the list with reference to election rules in their Rules Framed

7 To Spl-Officer, with compliments

17/1/17

FOR 18/1/17 8 Mul 2 No 4 15-8-17 21 or

Form—Contn. sheet

C I B 0 000 1 121

WD 1288—GPB—60 000—1 12-16—S

L S & Mis 2

G R. S III-2]

General and Revenue Secretariat | L S & File No 16 of 1916

Serial No

together with a copy of the Mh Electoral Rules in print up.
HW 48
18 1 1917

Sub 2

The follg may be added to cl (c) of S 15 (4) of the Act Reg —
"and he will not be eligible for re-election in a borough during the unexpired portion of the term of his office"

Dn
207
vide S 55 of the Municipal Act
Notification issued
by Govt of Bombay

If the question of fact as to whether in the particular case the Municipal Councillor's absence was due to causes beyond his control & whether, in case the power to restore to office in such cases (provided for in Sec 53 of the Madras Municipal Act) was vested in the Kolar town Municipal Council he would have been restored to office by the town Municipal Council

NOTE—Contn sheet

LSG Nos 2 5

G R. S 12]

General and Revenue Secretariat | LSG File No. 16 of 1916.

Serial No

Mr to reply to Nellore
the matter may be
treated as in the
case of the Election Ruling
in the neighbouring Taluks

Put
20/1/17

10 Mano make a draft accordingly
Put
20/1

11. Draft of a letter is submitted
HK
22/1/1917

12. Issued
Put
22/1

To.

The Deputy Commr, Kolar district
No 29 dy 23-1-17

Enquires whether the absence of Mr Mustafa Beig from the marginally noted meetings of the Council consequent on his removal was due to causes beyond his control and whether, in case the power to restore to office in such cases was vested in the Municipal Council, he would have been restored to office by the municipal Council

NOTE—Contn sheet

GPB—70 000—17 12 1

D 2 of 16

G R. S 12]

General and Revenue Secretariat. LSG File No 16 of 1916.

Serial No	
2	From Dy Comr, Kolar Dist. No 1662 dt 30 1 1917 States that Mr Mustafa Beg's absence was due to Causes beyond his Control and that he would have been restored to his office by the Jud Cl, if such a power were vested in them 13 Subd with reference to para 4 above HK 14 Perhaps as Mr Cameron may be given powers of restoration 1 2 1917 Sec'y Subd Dn 2/2 15 It seems desirable to amend the Municipal Regulation so as to give the Municipal council power to reinstate the Councillor in such cases. Such a provision exists in the Madras City Municipal Act. The question of amending the Election Rules so as to enable Govt to veto elections should not arise in the

7023—Contn sheet

GPB—70 000 17 1

G R. S 12]

General and Revenue Secretariat | L&G File No 16 of 1916

Serial No

peculiar circumstances

the Case

DM 5/2/17

1st 6/2/17 2nd number

16 Agree

17 To be included in the Act

DM 8/2/17

18 Attended to

19 The Regulation may be amended either by the addition of another provision to Sub-section (c) to Sub-section (2) of Sec 15 or by the addition of a new Sub-section to that Section Alternative drafts both with statements of objects & reasons are submitted.

[If the Municipal Council do not condone the absence of the Councillor there is nothing to prevent him from

NOTE—Contn sheet

GPI – 70 000 –17 12 1

WD 1288—GPB—60 000—1 12-16—S

G R S 111-4]

General and Revenue Secretariat

LGG File No 16 of 1916

Serial No

from standing as a Candidate at a Lgs. election & the rate-payers returning him to the Council for the remaining term of the Council, if the defaulting Councillor is one elected by the rate payers

The present amendment will hold good in the case of Nominated Councillors only I

HK

28 2 1917

20

For orders Dm 1/3

he amended

Case about reinstatement of both elected & Nominated Councillors

HK 3/2/17

21 What the Case worker means by the above note is that if an elected Councillor is not reinstated in such case there is nothing to prevent his standing for re-election & being returned by the electorate, whereas in the case of a Nominated Councillor the matter is settled once for all by the Municipal Cou

WD 1988—GPB—60 000—1 12-16—S.

Serial No

Short such a Contingency arise it Should there a conflict between the Municipal Council's power to reinstate & the power of the electorate to return a member, then the Registration can be Subject a member

(22) I think that the alternative draft marked II is more suitable, provided also Clause (e) of Sub Sec 2 of Sec 15 is amended by inserting "Subject to the provisions of

G R. S 12]

General and Revenue Secretariat

File No 66 of 1915

Serial No

Clause 2 (A) before

between "he shall"

and "be disabled"

as the amended

the amended portion of

clause (e) will read

as follows

"he shall, subject to

the provisions of Clause

2 (A) hereof be disabled

from continuing to be

a Councillor and his

office shall become vacant"

(3) After the above

formally

amendment it will be

NOTE—Contn sheet

GPB—70 000—17 12 15

G. E. S 12]

General and Revenue Secretariat. L&G File No. 16 of 1916.

Serial No	
	Connected with the other amendments MT 3/2/17
72 3/3/17	2 Members 24. Papers with Supp. memo may be laid on the table of Assembly MT 5/3/17 Dm 3/3 Dm 5/3
	25 Submitted with draft bill revised with refce to paras 22 & 24 above HK 12-3-17 Dm 13/3 Seen
369 13-3-17	2 Members MT 18/3/17 Draft Amendment Bill The Council Assembly Amendments Secretariat Legislative Department

Note for sheet

WD 1233—GPB—

G. R. S. III 2]

General and Revenue Secretariat.	File No	of 191

28 JUL 1927

Serial No	
	Subd There is already a draft Bill in the file approved by the Second Member. This will be included in the consolidated Bill
	The amendment was not approved by the Special Committee the papers were filed as the question was dropped

Notes—Contin. sheet.

as/

Draft Bill to further amend the Jamshedpore Municipal Regulation

1 Between the words "he shall" and "be disabled" in clause (e) to sub-sec (2) of sec 15 insert the following words

"Subject to the provisions of ~~clause (2) (A)~~ sub-sec (2A) below"

2 Add the following after sub-sec (2) of sec 15

"(2A) The Municipal Council may, at their discretion, restore to office the person disabled from continuing to be a Councillor in consequence of failure to attend as provided in clause (e) to the above sub-section

since this is expressly stated in clause (e) as amended, I would add the word "so" between the word 'person' & 'disabled' and omit the brackets hereon

TM 13/3

I don't agree. The disabling effect of clause (a) & (e) and the right as amended by the article by extending to by Company

TM 13/3/17

at the next monthly
meeting. ~~Letter of Mr. Ernst~~
~~Lorimer has caused to be~~
~~a Committee~~

W.M.
12 3 1917

Statement of Objects and Reasons

Under Clause (e), of Sub-sec (2) of Sec 15 of the Mysore Municipal Regulation, a Councillor who absents himself from attending any meeting of the Municipal Council for a period of 4 months, provided that there shall have been not less than 3 such meetings within such period ceases to be a Councillor. There have been instances in which the absence of Councillors was due to causes beyond their control. In these cases the absentee disability would have been re-

as by this Rule if power
might have been given to
petitioner on his behalf
& Hence there is necessity
for amending this
Regn.

28.2.1916

List of files put up by the Legislative Branch for reference in connection with certain amendments to the Mysore Municipal Regulation considered by the Special Committee appointed in G.O No J 4871-77 Leg 44 17.7 dt the 30th May 1918

Sl No	Files	Subject matter
1	Ml 132 17 6 forth L S G Mis 55 16	Framing out of Tolls, Fees, rents, etc.
2	Ml 296 12 L S G Mis 7	Amendments to Sec 48(1)(c), 48(1)(jj), 59(11), 82, 83, 85 & 86 repeal of Schedule V
3	L.S.G Mis 49 16	Amendment to Subsec (1) of Sec 96
4	Legis 29 15	Containing draft Sec, Amending Sec 31, 40(1), 154(6), New Sec 138A
5	Ml 65 15	Amendment of Sec 31
6	Ml 203 14 & 42 R June 15	Amendment of Sec 40(1),
7	Ml 280 13	Amendment of Subsec (6) of Sec 154
8	Ml 116 14	Composition of Ml offences.
9	Ml 96 16	New Sec 138A Control of Screens & Wastes in Mills,
10	L-S G 16 16 2	Amendment of Sec 151,
11	Ml 280 14 & 42 R Jany 16	Question of empowering Courts to hear appeals against the orders of Resdts of Ml Cs.
12	Ml 66 15 & 366 R Feby 16	
13	Ml 132 17.1	Adding a new Sec relating to Estates

Mills and Factories

14 Ynl 211-16 1 Amendment of Sec 26 (11+).

15 G. F. 44-16 Amendment of Sec 53

16 Ynl 132 17 2 Amendment of Sec 66
(Note:- There is only the Office
Note-1) "From" letter is not here)

17 Ynl 118 14 Town Planning Bill

The above file are returned to the Legislative Section of the Protection Branch of the Chief Secretariat as directed by the Asst Secretary, C.S.G.

26.4.1919.

'T

Alternative draft

Draft Bill to further amend the Improvement Regulation

Add the following clause (e) to Sub Sec (2) of Sec 15 after the words 'period' 'such period',

"and that he is not restored to office at the discretion of the Municipal Council, at the next General meeting held after his failure to attend the said meetings,"

P.T.O

II

ative Draft

Draft Bill to further amend the Mysore Municipal Regulation

Add the following in Sec 15.

"(2A) The Municipal Council may, at their discretion, restore to office the person disabled from continuing to be a Councillor in consequence of failure to attend as provided in Cl (c) of the above Sub-Sec at the next General meeting held after such person has ceased to be a Councillor"

P.T.O

Absence of Mr Mustafa Beg from 4 meetings of the Kolar Town Mc

L S G File No 16-

Serial No 1

G.R. S 26]

L S G Misc 2-16

Diary No of letter replied to ..

No 29

L S G. 16-16-1

General and Revenue Secretariat

(L. S. G)

, the 191

To

dy 23-1

The Deputy Com

Kolar Dist

Date of issue 23-1-17.

Signed by Mr P Mahadevaiya

Sir,

I am directed to invite attention to correspondence ending with the Dev Secy's Memo No 9263 Mc 4 15 26 dy the 20th June 1916, and to enquire whether the absence of Mr Mustafa Beg from the meetings noted in the margin was from meetings of the Kolar Town Mc ca

over Yrs.

21	12	1915
29	1	1916
21	2	1916
31	3	1916

SUBJECT

has done his duty beyond his control and whether in case the power to restore his office in such cases has vested in the Municipal Council he would have been restored to office by the Municipal Council

I have etc

for Secy to Govt Darjeeling

HKW
22.1.97

List of enclosures

Copied by

Examined by

G.P.B 20,000—10.10.14

L S G 16-16-2

Office of the Deputy Commissioner,
Kolar District.
Dated Kolar the 30th January 1917.

From

P P BOWRING Esquire, J.P ,
D e p u t y Commissioner,
K o l a r District

To

V. R. Thyagaraja Iyer, Esquire, M.A.,
Revenue Secretary to the Government of
His Highness the Maharaja of M Y S O R E,
on special duty, B a n g a l o r e.

Sir,

With reference to your letter No 29/L S G 16-16-1, dated 23rd January 1917, in the matter of the absence of Mr. Mustafa Beig, from more than three consecutive meetings of the Kolar Town Municipal Council, I have the honor to state that Mr. Mustafa Beig's absence was due to causes - beyond his control, and I think that he would have been restored to his office by the Municipal Council, if such a power were vested in them

I have the honor to be,
Sir,
Your most obedient servant,
P Narayana
For Deputy Commissioner,
Kolar District

Work

M.M. 6-17.

From

The Deputy Commissioner.

Kolar District.

To

The Revenue Secretary to Govern-
ment of His Highness the Maharaja
of Mysore, on special duty.
Bangalore.

Dated the 26th January 1917.

Despatched

Received GEN. & REV. BR.
General No. 1662. 1 FEB 1917
No.

Enclosure No.

Submits a report regarding the absence of Mr. Mustafa Esqr. from three consecutive meetings of the Kolar Town Municipal Council

Attested 15/VI

1/2/17 Memorandum
in the file as desired
for entry
Para
1/2